

MEETING NOTES

December 11, 2008

R9-5-301(M)

Discussion about the 24 hour notification requirement. What does "orally" mean? Can e-mail be used? Voice mail?

The Department amended the rule to allow written or oral notification so any of the mention methods can be used.

M. A licensee shall ensure that the Department is notified orally or in writing within 24 hours after an enrolled child's death at the child care facility during hours of operation.

R9-5-302(B)

The rule seems to require a facility to amend the written statement of child care services and provide an amended copy of the written statement of child care services every time there is a change in the information in the written statement of child care services. A facility may provide notification to parents when there is a change but doesn't necessarily amend the written statement of child care services and provide parents and the Department with an amended written statement of child care services.

The Department amended the rule as follows:

B. A licensee shall provide a copy of the written statement of child care services to:

1. ~~To the~~ The Department:

a. ~~At the time the licensee's~~ before the facility receives ~~an initial~~ a license, and

b. ~~Every 12 months from the date of the initial license as required by A.R.S. § 36-883.01, and~~

c. ~~When a change occurs in the child care services provided by the licensee; and~~

2. ~~To a~~ A parent when:

a. ~~A parent's child is enrolled~~ The parent enrolls a child, and

b. ~~A~~ The parent requests a copy of the written statement of child care services; ~~or.~~

C. ~~There is a change in the child care services provided by the licensee~~ When a change occurs to the information in subsection (A), a licensee shall provide written documentation of the change to the Department and to each child's parent.

R9-5-309(A)(2)

Local jurisdictions don't necessarily have requirements for periodic gas inspections. The gas inspection is done to ensure there are no leaks in the gas pipes that run from the gas meter to the appliances in the facility. Gas inspections are usually performed by licensed plumbers. The rule may be more effective if it specifically stated what the gas inspection entailed and how often gas inspections are required.

A. A licensee shall obtain the following health and safety inspections of a facility and make any repairs or corrections stated on an inspection report before an initial license is issued by the Department:

1. A gas inspection by a licensed plumber or individual authorized by the local jurisdiction that verifies there are no gas leaks in the gas pipes that run from the gas meter to any appliance or location on facility premises; and

2. A fire inspection by a local fire department.

B. A licensee shall ensure that a licensed plumber or individual authorized by the local jurisdiction conducts a gas inspection that verifies there are no gas leaks in the gas pipes that run from the gas meter to any appliance or location on facility premises at least once every twelve months from the date of the initial license.

C. A licensee shall maintain current gas and fire inspections including documentation of any repairs or corrections required by the gas or fire inspection reports on facility premises.

R9-5-401

This rule contains qualification requirements for individuals providing child care services at a child care facility. The rule was reorganized and changes were made so that the rule was consistent. The requirements for a facility director for an individual who is qualifying under hours of instruction in child care topics were amended to include an additional 12 hours of instruction in the area of business management. There was extensive discussion regarding

increasing the requirements for a teacher-caregiver with a delayed effective date to enable current teacher-caregivers to meet the increased requirements. One of the suggestions included requiring college coursework in child development. The Department received a written comment that included a suggestion for adding a requirement for college coursework for teacher-caregivers.

The Department added a provision in R9-5-401(2) to allow an individual, 21 years of age or old, who provides the licensee with documentation of a N.A.C., C.D.A., or C.C.P. credential to serve as a facility director's designee.

R9-5-402(A)(5)

Does HIPAA (Health Insurance Portability and Accountability Act of 1996) apply to this information?

Sec. 1172(a) of the Act states that any standard adopted under this part shall apply, in whole or in part, to (1) A health plan, (2) A health care clearinghouse, and (3) A health care provider who transmits any health information in electronic form in connection with a transaction referred to in section 1173(a)(1).

R9-5-403

The Department had added some topics to the initial and on-going required training and increased on-going training hours required. There was extensive discussion regarding the increase in training hours and the projected costs. Some members felt the number of training hours required should be increased to 24 annually. A delayed effective was discussed. The Department received 2 written comments that included a suggestion for increasing the number of training hours to 24 annually and requiring new staff members to have training in specific areas.

The Department proposes the following amendments:

C. A licensee shall ensure that:

1. *Each staff member who provides child care services completes 18 or more actual hours of training every 12 months from the staff member's starting date of employment or volunteer service in two or more of the following areas:*
 - a. *Child growth and development including:*
 - i. *Infant growth and development including sudden infant death syndrome prevention,*
 - ii. *Developmental psychology,*
 - iii. *Language development,*
 - iv. *Observation and child assessment,*
 - v. *Developmentally appropriate activities,*
 - vi. *Child guidance and methods of discipline, and*
 - vii. *Developmentally appropriate activity areas;*
 - b. *Health and safety issues including:*
 - i. *Accident and emergency procedures including CPR and first aid for infants and children,*
 - ii. *Recognition of signs of illness and infestation,*
 - iii. *Nutrition and developmentally appropriate eating habits,*
 - iv. *Child abuse detection, reporting, and prevention,*
 - v. *Safety of indoor and outdoor activity areas, and*
 - vi. *Sun safety policies and procedures;*
 - c. *Program administration, planning, development, and management; and*
 - d. *Availability of community services and resources, including those available to children with special needs; and*
2. *As part of the required 18 hours of training in subsection (C)(1):*
 - a. *A staff member who has less than 12 months of child care experience before the staff member's starting date, completes at least 12 hours in one or more of the areas in subsection (C)(1)(a) in the staff member's first 12 months at the facility;*
 - b. *A staff member who has more than 12 months of child care experience before the staff member's starting date, completes at least 6 hours in one or more of the areas in subsection (C)(1)(a) every 12 months from the staff member's starting date;*
 - c. *A staff member who provides child care services to an infant completes at least 6 hours in subsection (C)(1)(a)(i) every 12 months from the staff member's starting date; and*

- d. A facility director completes at least 6 hours in subsection (C)(1)(c) every 12 months from the facility director's starting date.*

Next scheduled meetings

January 22, 2009

9:00 a.m. – 12:00 p.m.

150 N. 18th Ave., 4th Floor Training Room

Phoenix, Arizona, 85007

Tentative discussion: Complete Article 4 and Article 5

February 10, 2009

9:00 a.m. – 12:00 p.m.

150 N. 18th Ave., 4th Floor Training Room

Phoenix, Arizona, 85007

Tentative discussion: Complete Article 5 and Article 6.